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PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

Revised estimates resulting from resolutions and decisions of the Economic and Social Council at its substantive and special sessions of 1994

Report of the Secretary-General

1. The present report deals with the additional requirements resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and special sessions of 1994 for which additional resources beyond the current appropriation are being sought. These amount to $772,400 and are detailed below. In accordance with paragraph 3 of rule 31 of its rules of procedure, the Council was provided with a statement of programme budget implications prior to the adoption of the resolutions and decisions.

2. The substantive additional requirements for the biennium 1994-1995 by budget section and type of expenditure are as follows:

	General temporary assistance	Travel on official business	General operating expenses	Total
Section 8. Department for Policy Coordination and Sustainable Development	-	52 000	-	52 000
Section 14. International drug control	-	45 000	-	45 000
Section 21. Human rights	329 000	324 400	22 000	675 400
Total	329 000	421 400	22 000	772 400

Further details are provided in paragraphs 3-16 of the present report by resolution and relevant budget section. A review of alternatives, in the event that these estimates were to exceed the balance available in the contingency fund, is contained in paragraphs 19 and 20.

I. ANALYSIS OF REQUIREMENTS FOR INDIVIDUAL RESOLUTIONS AND DECISIONS

Resolution 1994/7. Convention on the Elimination of All Forms of Discrimination against Women

3. By paragraph 1 of its resolution 1994/7, the Council supported the request made by the Committee on the Elimination of Discrimination against Women at its twelfth session for additional meeting time, with adequate support from the Secretariat, so as to allow the Committee to meet once a year for three weeks for its fourteenth and fifteenth sessions, and recommended that the request for additional meeting time, made by the Committee at its thirteenth session, be considered within the existing level of budgetary resources.

4. The above-mentioned activities would entail additional costs in relation to the daily subsistence allowance for 23 members of the Committee for an additional seven days of the fourteenth session in 1995 and conference-servicing requirements for 10 additional meetings. The additional costs of the extended fourteenth session of the Committee in 1995 would amount to $52,000 for substantive requirements under section 8 of the programme budget for the biennium 1994-1995 and $80,500 for conference-servicing requirements under section 25 (Administration and management). A provision in the amount of $460,000 for the activities of the Committee has been made under section 8. The 1994 expenditures relating to the thirteenth session of the Committee held earlier in 1994 amount to $263,500, leaving an unencumbered balance from the 1994-1995 appropriation of $196,500 for the year 1995. Based on the pattern of 1994 expenditures, it is not anticipated that the additional requirements in the amount of $52,000 in connection with the extended session of the Committee in 1995 could be absorbed under section 8 of the current programme budget. The requirements relating to the fifteenth session of the Committee in 1996 will be dealt with in the context of the proposed programme budget for the biennium 1996-1997.

Decision 1994/223. The situation of human rights in Rwanda

5. By its decision 1994/223, adopted at its special session held on 6 June 1994, the Council endorsed resolution S-3/1 of 25 May 1994, adopted by the Commission on Human Rights at its third special session.

6. In resolution S-3/1, as endorsed by the Council, the Commission on Human Rights requested:

(a) The Chairman of the Commission to appoint a special rapporteur on Rwanda to investigate the human rights situation in the country and to receive relevant credible information on the human rights situation there from

Governments, individuals and intergovernmental and non-governmental organizations, including information on root causes and responsibilities for the recent atrocities, on a continuing basis, and to avail himself or herself of the assistance of existing mechanisms of the Commission on Human Rights;

(b) The existing mechanisms of the Commission on Human Rights, including the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the question of torture, the Representative of the Secretary-General on internally displaced persons, the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention, as well as human rights treaty bodies, where appropriate, to give urgent attention to the situation in Rwanda and to provide, on a continuing basis, their full cooperation, assistance and findings to the Special Rapporteur on Rwanda and to accompany the Special Rapporteur in visiting Rwanda whenever necessary;

(c) The Special Rapporteur to visit Rwanda forthwith and report on an urgent basis to the members of the Commission on Human Rights on the situation of human rights in the country, including his or her recommendations for bringing violations and abuses to an end and preventing future violations and abuses, providing a preliminary report no later than four weeks from the adoption of the present resolution;

(d) The Secretary-General to make the report of the Special Rapporteur available to the Economic and Social Council, the General Assembly and the Security Council;

(e) The Special Rapporteur to gather and compile systematically information on possible violations of human rights and acts which might constitute breaches of international humanitarian law and crimes against humanity, including acts of genocide, in Rwanda, and to make that information available to the Secretary-General;

(f) The High Commissioner for Human Rights to make the necessary arrangements for the Special Rapporteur to be assisted by a team of human rights field officers acting in close cooperation with the United Nations Assistance Mission for Rwanda and other United Nations agencies and programmes operating in Rwanda.

7. The implementation of Commission on Human Rights resolution S-3/1 requires missions to Rwanda by the Special Rapporteur accompanied by staff; visits to Geneva for consultations and presentation of his report to the Commission; fact-finding missions of representatives of the thematic mechanisms; and missions by staff to Rwanda for fact-finding and organizing a field presence of the Centre for Human Rights in the country through the stationing of human rights monitors in various parts of the country. The total costs of the above activities under section 21 of the programme budget have been estimated at $754,700 ($605,800 for the year 1994 and $148,900 for 1995).

8. Following the adoption of decision 1994/223, the concurrence of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) was sought in June 1994 to enter into commitments up to $605,800 for the financing of the activities relating to Rwanda in 1994 under the terms of resolution 48/229 of

23 December 1993 on unforeseen and extraordinary expenses for the biennium 1994-1995. The Advisory Committee has concurred in entering into commitments in an amount not exceeding $605,800. The expenditures for the year 1994 in relation to these activities are now estimated at $390,800. The requirements for the year 1995 would amount to $148,900, including 12 work-months of temporary assistance at the P-3 level and 4 work-months at the General Service level ($143,900) to continue the provision of support to the activities of the Special Rapporteur, and travel requirements for the Special Rapporteur to attend the fifty-first session of the Commission on Human Rights ($5,000). The total requirements for the implementation of decision 1994/223 under section 21 of the programme budget for the biennium 1994-1995 would thus amount to $539,700 ($390,800 for 1994 and $148,900 for 1995).

Decision 1994/232. Establishment of a working group on maritime cooperation in accordance with Commission on Narcotic Drugs resolution 9 (XXXVII)

9. By its decision 1994/232, the Council approved the establishment of a working group on maritime cooperation, in accordance with Commission resolution 9 (XXXVII) of 21 April 1994.

10. In accordance with the decision of the Council, the Working Group on Maritime Cooperation, comprising 35 members, is scheduled to hold two sessions (one in 1994 and one in 1995) each of five days' duration during which it would develop a comprehensive set of principles and specific recommendations on maritime cooperation and report to the Commission on Narcotic Drugs at its thirty-eighth session. The related costs for travel, external expertise and temporary assistance have been estimated in the amount of $256,000. It is estimated that, of this amount, the costs in the amount of $211,000 could be met from within existing resources under section 14 of the programme budget for the biennium 1994-1995. The remaining costs ($45,000), relating to travel of members of the Group in 1995, represent additional requirements under section 14. Conference-servicing requirements were estimated at $185,900 for the meeting in 1994 and at $166,900 for the one in 1995.

Decision 1994/244. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

11. By its decision 1994/244, the Council, noting Commission on Human Rights resolution 1994/20 of 1 March 1994, approved the Commission's recommendation that, as a follow-up to the seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, held at Geneva in January 1993, the Centre for Human Rights of the Secretariat convene expert seminars for the chairpersons of the human rights treaty-monitoring bodies and representatives of specialized agencies and non-governmental organizations, as well as representatives of States, focusing

on specific economic, social and cultural rights, with a view to clarifying the particular content of those rights.

12. In response to the Council's decision, the organization of five regional seminars is envisaged at an estimated cost of $100,000 (two seminars in 1994 ($40,000) and three in 1995 ($60,000)) under section 21 of the programme budget for the biennium 1994-1995, for travel of participants. In addition, conference-servicing costs are estimated at $325,600 under section 25. The substantive requirements for the 1994 activities are being met from within the appropriation approved for the activities mandated by the Council under section 21. Additional funds in the amount of $60,000 will be required under section 21 to finance the 1995 requirements arising from the decision.

Decision 1994/251. Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

13. By its decision 1994/251, the Council, noting Commission on Human Rights resolution 1994/41 of 4 March 1994, endorsed the decision of the Commission to confirm the proposal of the Subcommission on Prevention of Discrimination and Protection of Minorities to create a monitoring mechanism to follow up the question of the independence and impartiality of the judiciary, particularly with regard to judges and lawyers, as well as court officials, and the nature of problems liable to attack that independence and impartiality, and recommended that the mechanism take the form of a special rapporteur whose mandate would consist of the following tasks:

(a) To inquire into any substantial allegations transmitted to him or her and to report his or her conclusions thereon;

(b) To identify and record not only attacks on the independence of the judiciary, lawyers and court officials but also progress achieved in protecting and enhancing their independence, and make concrete recommendations, including recommendations for the provision of advisory services or technical assistance when they are requested by the State concerned;

(c) To study, for the purpose of making proposals, important and topical questions of principle with a view to protecting and enhancing the independence of the judiciary and lawyers.

The Council also approved the Commission's request to the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the completion of his or her work.

14. The activities of the Special Rapporteur would include two annual field missions to the Asian and Latin America and the Caribbean regions and trips to Geneva for consultation with the Centre for Human Rights. These activities would entail additional costs for travel in the amount of $42,600 ($21,300 for the year 1994 and $21,300 for the year 1995) under section 21 of the programme budget for the biennium 1994-1995. The 1994 requirements ($21,300) are being met from within the appropriation approved for the activities mandated by the Council under section 21 of the programme budget for the biennium 1994-1995.

Additional funds in the amount of $21,300 would be required under section 21 to finance the 1995 requirements arising from the decision.

Decision 1994/254. Question of integrating the rights of women into the human rights mechanisms of the United Nations and the elimination of violence against women

15. By its decision 1994/254, the Council, noting Commission on Human Rights resolution 1994/45 of 4 March 1994, approved:

(a) The Commission's decision to appoint a special rapporteur on violence against women, including its causes and its consequences;

(b) The Commission's request to the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all other treaty bodies;

(c) The Commission's request to the Special Rapporteur to report to the Commission annually, beginning with its fifty-first session.

16. The activities of the Special Rapporteur would require travel to Geneva and Headquarters for consultations and participation in activities of the Commissions on Human Rights and on the Status of Women, and the Committee on the Elimination of Discrimination against Women, as well as one field mission to each region for the purpose of meetings with women's organizations. In those trips, the Special Rapporteur would be accompanied by one staff member. The estimated costs amount to $75,900 ($21,500 for 1994 and $54,400 for 1995). The requirements for 1994 ($21,500) are being met from within the appropriation approved for the activities mandated by the Council under section 21 of the programme budget for the biennium 1994-1995. Additional funds in the amount of $54,400 would be required for 1995 and it is estimated that these could not be met from the existing appropriation.

II. CONCLUSIONS

17. In summary, the requests contained in the resolutions and decisions discussed above would give rise to additional substantive requirements totalling $772,400. These relate to the following budget sections:

	Resolution/decision	Section 8	Section 14	Section 21	Total
1994/7	Convention on the Elimination of All Forms of Discrimination against Women	52 000	-	-	52 000
1994/223	The situation of human rights in Rwanda	-	-	539 700	539 700
1994/232	Establishment of a working group on maritime cooperation in accordance with Commission on Narcotic Drugs resolution 9 (XXXVII)	-	45 000	-	45 000
1994/244	Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights	-	-	60 000	60 000
1994/251	Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers	-	-	21 300	21 300
1994/254	Question of integrating the rights of women into the human rights mechanisms of the United Nations and the elimination of violence against women	-	-	54 400	54 400
	Total	52 000	45 000	675 400	772 400

18. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Further, each statement of programme budget implications and each proposal for revised estimates should contain alternatives to the financing from the contingency fund of the proposed new activities.

19. The implementation of the following 1995 activities under sections 8, 14 and 21 of the programme budget for the biennium 1994-1995 would be postponed to the next biennium in the event that the additional requirements arising from the above resolutions and decisions of the Council could not be met from the contingency fund.

Section 8. Department for Policy Coordination and Sustainable Development

Programme 1. Policy development

- International cooperation: participation in activities of the Consultative Group on International Agricultural Research and of research institutions on issues relating to increasing food production in developing countries and the transfer of technology.

- Published material: departmental newsletter (6 issues).

- Information material and services: annual information handouts explaining issues addressed by the World Food Council, the Economic and Social Council and the General Assembly and their recommendations for remedial action by the international community; biennial press kit relating to sessions of the Economic and Social Council; press releases on sessions of the World Food Council and statements by its members; coverage of hunger/poverty issues in the General Assembly and the Economic and Social Council; and annual seminars for the media, non-governmental organizations and national policy makers.

Programme 4B. Integration of social groups

Subprogramme 3. Integration of disabled persons in development

- Information materials and services: note on terms of reference and operation of the United Nations Voluntary Fund on Disability.

Section 14. International drug control

Subprogramme 1. Treaty implementation, secretariat and support services

- One of three approved ad hoc expert groups on the commentary on the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, of 1988.

Section 21. Human rights

Subprogramme 4. Research studies and standard-setting

- Published material: list of countries that proclaim, extend or terminate a state of emergency; right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms; prevention of the traffic in persons and the exploitation of the prostitution of others; strengthening the independence of the judiciary and the protection of practising lawyers; and human rights and disability.

20. The funds relating to the activities listed in paragraph 19 above would be used to finance the activities under resolution 1994/7 and decisions 1994/232, 1994/244, 1994/251 and 1994/254 in the event that the resources from the contingency fund would not be available for that purpose. Given the magnitude of the requirements for the implementation of decision 1994/223 on the situation of human rights in Rwanda, it is not possible to identify further activities within section 21 (Human rights) which could be terminated, deferred, curtailed or modified during the current biennium to finance the costs of the activities under that decision.

21. In summary, subject to the guidelines for use and operation of the contingency fund, an additional appropriation of $772,400 is requested for the biennium 1994-1995, broken down as follows:

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Section 8	52 000
Section 14	45 000
Section 21	675 400